

COMMONWEALTH OF MASSACHUSETTS

TOWN OF SPENCER

SPECIAL TOWN MEETING WARRANT

November 12, 2020

WORCESTER, SS.

To either of the Constables of the Town of Spencer in the County of Worcester,
Greetings.

IN THE NAME OF THE Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the David Prouty High School Gymnasium, at 302 Main Street, Spencer, MA 01562 on Thursday, November 12, 2020 at 7:00 PM in the evening, then and there to act on the following articles:

Article 1:

AUTHORIZATION TO AMEND A PREVIOUSLY APPROVED ARTICLE

To see if the Town will vote to amend the vote taken under Article #13 of the June 30, 2020 Annual Town Meeting for the Spencer-East Brookfield Regional School District for Fiscal Year 2021, in accordance with any conditions stated herein, to reduce the original total appropriation by the sum of Two Hundred Sixty Eight Thousand One Dollars and No Cents (\$268,001.00); and therefore, to provide that the total sum of Nine Million One Hundred One Thousand Three Hundred Ninety Two Dollars and No Cents (\$9,101,392.00) for Fiscal Year 2021 be appropriated for the following purposes:

| | |
|--|-------------|
| Spencer-East Brookfield Regional School District Minimum Contribution Account #11300-56000 | \$7,197,432 |
| Spencer-East Brookfield Regional School District Additional Assessment Account #11300-56000 | \$18,107 |
| Spencer-East Brookfield Regional School District Transportation Assessment Account #11300-56000 | \$1,205,209 |
| Spencer-East Brookfield Regional School District Debt Assessment Account #11300-56010 | \$349,721 |
| Spencer-East Brookfield Regional School District Capital Assessment Account #11300-56010 | \$330,923 |

or take any other action in relation thereto. *(Sponsored by the Board of Selectmen)*

Article 2:

AUTHORIZATION TO RAISE AND APPROPRIATE A SUM OF MONEY FOR OUT-OF-DISTRICT VOCATIONAL TUITION AND TRANSPORTATION

To see if the Town will vote to raise and appropriate the sum of Forty Six Thousand Two Hundred Sixty Dollars and No Cents (\$46,260.00) for Fiscal Year 2021 for the following purposes:

| | |
|--|----------|
| Smith Vocational and Agricultural High School Non-Resident Tuition Account #11300-52000 | \$18,400 |
|--|----------|

| | |
|---|----------|
| Smith Vocational and Agricultural High School Non-Resident Transportation Account #11300-52100 | \$27,860 |
|---|----------|

or take any other action in relation thereto. *(Sponsored by the Board of Selectmen)*

Article 3:

AUTHORIZATION TO APPROPRIATE THE REVISED FY2021 GENERAL GOVERNMENT OPERATING BUDGET

To see if the Town will vote to amend the vote taken under Article #17 of the June 30, 2020 Annual Town Meeting by rescinding the same, and, in place thereof, to raise and appropriate or transfer from any available funds in the Treasury the total sum of Eleven Million Nine Hundred Ninety Four Thousand Seventeen Dollars and No Cents (\$11,994,017.00) to pay for the operations of the General Government expenses for Fiscal Year 2021; or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Note: The proposed Fiscal Year 2021 Operating Budget can be found after the text of the Special Town Meeting Warrant. The budget format contains the appropriation figures for each department and the Town Administrator's recommendations.

Article 4:

AUTHORIZATION TO TRANSFER A SUM OF MONEY TO THE RESERVE FUND

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) to the Reserve Fund (Account #11132-57000) to cover extraordinary or unforeseen expenses in accordance with General Laws, Chapter 40, Section 6; and, to meet said appropriation by transferring said sum from previously certified and available Free Cash; or take any other action in relation thereto.

(Sponsored by the Board of Selectmen and the Town Administrator)

Article 5:

AUTHORIZATION TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST FUND

To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) for the fund known as the Other Post-Employment Benefits Liability Trust, or "OPEB Fund" (Account #83000-39825); or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 6:

AUTHORIZATION TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE GENERAL STABILIZATION FUND

To see if the Town will vote to raise and appropriate the sum of Two Hundred Fifty One Thousand, Seven Hundred Forty Dollars and No Cents (\$251,740.00) for the purpose of supplementing the General Stabilization Fund (Account #83000-39900), as authorized by General Laws, Chapter 40, Section 5B; or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 7:

AUTHORIZATION TO PAY BILLS OF PRIOR FISCAL YEAR

To see if the Town will vote to appropriate the sum of Seven Hundred Four Dollars and Eleven Cents (\$704.11) to Town Hall Maintenance (Account #11192-57000) to pay unpaid bills of prior fiscal year pursuant to General Laws Chapter 44, Section 64, specifically, for the purchase of cleaning supplies; and, to meet said appropriation by transferring said sum from previously certified and available Free Cash; or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 8:

AUTHORIZATION TO TRANSFER A SUM OF MONEY TO THE SEWER CAPITAL ACCOUNT

To see if the Town will vote to appropriate the sum of One Million Twenty Four Thousand Seven Hundred Fifty Eight Dollars and No Cents (\$1,024,758.00) to the Sewer Capital Account (#20000-58870) for capital projects as approved by the Capital Improvements Planning Committee; and, to meet said appropriation by transferring said sum from previously certified and available Retained Earnings of the Sewer Enterprise Fund; or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Board of Sewer Commissioners)*

Article 9:

AUTHORIZATION TO TRANSFER A SUM OF MONEY TO THE WATER CAPITAL EFFICIENCY ACCOUNT

To see if the Town will vote to appropriate the sum of Three Hundred Seventy Nine Thousand Seven Hundred Six Dollars and No Cents (\$379,706.00) to the Water Capital Efficiency Plan Program Account (#15000-58860) for capital projects as approved by the Capital Improvements Planning Committee; and, to meet said appropriation by transferring said sum from previously certified and available Retained Earnings of the Water Enterprise Fund; or take any other action in relation thereto. *(Sponsored by the Board of Selectmen and the Town Administrator)*

Article 10:

AUTHORIZATION TO APPROPRIATE MONIES TO FUND CAPITAL EXPENDITURES

To see if the Town will vote to appropriate the sum of One Hundred Twenty Thousand Seven Hundred Fifteen Dollars and No Cents (\$120,715.00) for capital equipment purchases and capital improvements, as generally illustrated below, including equipping any vehicles, and all other incidental and related expenses; and further, to meet said appropriation by transferring said sum from previously certified and available Free Cash:

| <u>Department</u> | <u>Item</u> | <u>Amount</u> |
|--------------------|-------------------------------|---------------|
| Fire Department | Insulation / Windows (rear) | \$14,000.00 |
| Fire Department | Railing in Annex | \$3,000.00 |
| Parks & Recreation | O'Gara Grandstand | \$25,000.00 |
| Parks & Recreation | Security Cameras – Powdermill | \$6,000.00 |
| Parks & Recreation | Security Cameras – LHP | \$5,000.00 |
| Police Department | New Cruiser | \$50,215.00 |
| Police Department | HVAC Improvements | \$17,500.00 |

Total: \$120,715.00

or take any other action in relation thereto. *(Sponsored by the Capital Improvements Planning Committee, Board of Selectmen, and the Town Administrator)*

Article 11:

AUTHORIZATION TO TRANSFER MONIES TO FUND CAPITAL EXPENDITURES

To see if the Town will vote to appropriate the sum of Fourteen Thousand Dollars and No Cents (\$14,000.00) for the purchase of new voting booths, including all incidental and related expenses, and to meet said appropriation by transferring said sum from the following unexpended capital accounts:

| <u>Account</u> | <u>Item</u> | <u>Amount</u> |
|----------------|---|--------------------|
| #60000-59276 | Voting Machine Replacements | \$100.00 |
| #60000-59297 | Regional School District Building Study | \$10,000.00 |
| #60000-59308 | Browning Pond Land Survey | \$2,100.00 |
| #60000-59305 | Lake St School UST Removal | \$1,800.00 |
| Total: | | \$14,000.00 |

or take any other action in relation thereto. *(Sponsored by the Capital Improvements Planning Committee, Board of Selectmen, and the Town Administrator)*

Article 12:

AUTHORIZATION TO AMEND THE TOWN'S ZONING BYLAWS

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Article 4.8.10: Temporary Moratorium on the Construction of Large Scale Ground Mounted Solar Photovoltaic Installations, as follows:

ARTICLE 4.8.10: Temporary Moratorium on the Construction of Large Scale Ground Mounted Solar Photovoltaic Installations

A. Authority and Purpose

The Town of Spencer currently has twelve approved large scale ground mounted solar photovoltaic installations, commonly referred to as "solar farms", completed or under construction, and another six that are in the permitting process. Many of these projects have involved large scale clear cutting of trees and ground vegetation and several have been located in close proximity to abutting residential neighborhoods.

Pursuant to the Zoning Bylaw, large scale ground mounted solar photovoltaic installations are allowed pursuant to site plan review and special permit in the Rural Residential and Industrial zoning districts in the Town. That bylaw, however, has proved inadequate for protecting the Town's environmental resources and mitigating other negative effects of large-scale ground mounted solar facilities on the Town. Further, the unexpected high demand for large scale ground mounted solar installation sites has demonstrated the potential for rapidly changing the face of the Town, thereby raising novel legal, planning, and economic issues and creating an urgent need to review the current regulation of this use. The Town needs time to consider and study the future implications and impact of large scale ground mounted solar photovoltaic installations developments upon the Town as a whole, as well as the consistency of the already completed solar facilities with the Town's current and future planning goals. Imposition of a temporary moratorium on large scale ground mounted solar photovoltaic installations will allow sufficient time to assess these issues and amend the Zoning Bylaw to address the impact of these facilities on the Town's environmental resources and its planning goals.

B. Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning By-law to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for large scale ground mounted solar photovoltaic installations. The moratorium shall be in effect through **November 12, 2021** or the date on which the Town adopts amendments to the Zoning Bylaw concerning large scale ground mounted solar photovoltaic installations, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to study, review, analyze and address what revisions to the Zoning Bylaw relative to large scale ground mounted solar photovoltaic installations are needed or desirable to allow for and regulate such use consistent with protecting the Town's environmental resources and furthering its planning goals.

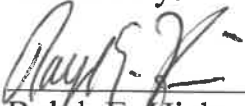
or take any other action in relation thereto.

(Sponsored by the Board of Selectmen)

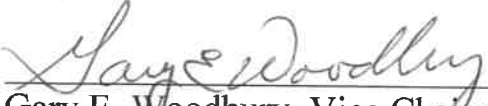
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And you are directed to serve this warrant, by posting an attested copy in at least three places fourteen (14) days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 19th day of October in the year of our Lord two thousand and twenty.



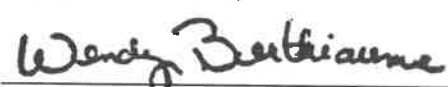
Ralph E. Hicks, Chairman



Gary E. Woodbury, Vice Chairman



John J. Howard, Clerk



Wendy S. Berthaume, Member



Anthony D. Pepe, Member

Board of Selectmen

A true copy. Attest.

_____ Constable

Worcester, SS.

_____ Date

PURSUANT TO THE WITHIN WARRANT, I have posted and warned the inhabitants of the Town of Spencer by posting an attested copy in at least three places at least fourteen days before the date of the meeting, as within directed.

Constable of Spencer

NOTICE: Persons needing a sign language interpreter or other hearing assistance device, please contact the Board of Selectmen.